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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/701,537	11/05/2003	Purva R. Rajkotia	2003.07.004	8169

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EXAMINER	
D AGOSTA, STEPHEN M	

ART UNIT	PAPER NUMBER
2617	

MAIL DATE	DELIVERY MODE
10/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/701,537	RAJKOTIA ET AL.	
	Examiner	Art Unit	
	Stephen M. D'Agosta	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 September 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *1-22* is/are allowed.

6)☒ Claim(s) *23 and 24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9-18-07 has been entered.

- All claims are allowed except for claims 23-24.
- A new rejection is found attached, with new prior art, to reject claims 23-24.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 23-24 rejected under 35 U.S.C. 103(a) as being unpatentable over Mangal et al. US 6,865,398 and further in view of Brilla et al. US 6,389,~~276 and Chuah US 6,469,991~~ and Hopkinson GB-2315386.

As per **claims 23-24,** Mangal teaches a mobile station for communicating with a base station of a wireless network, said mobile station capable of operating in a full slot cycle mode and a reduced slot cycle mode AND that the "mode" can be programmed to

change the slot cycle (eg. from fast to normal) depending upon the function being used by the mobile, eg. PTT would desire slot cycle of Zero:

As another example, the logic may allow a user to select a mode of operation of the mobile station, and the logic may correlate that mode of operation with a particular slot cycle index. For instance, the logic may define a "fast page mode" and a "normal page mode." If the user selects the fast page mode, the logic may set the mobile station at slot cycle index 0. And if the user selects the normal page mode, the logic may set the mobile station at slot cycle index 2. Similarly, the logic may define a " PTT mode" (or "instant chat" mode) and a "normal mode." If the user selects the PTT mode, the logic may set the mobile station at slot cycle index 0. And if the user selects the normal mode, the logic may set the mobile station at slot cycle index 2. Other examples are also possible.

But is silent on

said mobile station in response to a determination from a traffic monitor associated with the BTS that said use of said reduced slot cycle mode by said mobile station interferes with scheduling of paging message transmissions by said mobile station, the mobile station is capable of receiving from said base station a first control message indicating that said reduced slot cycle mode is disabled in said base station AND changing from one mode to the other (eg. claim 24).

Brilla teaches the BTS sending configuration information/messages to the mobile in order to change it's operation between slotted and non-slotted modes:

"..The mobile telephone 122, upon initializing for operation in a CDMA system, **acquires the pilot channel of the cell site, obtains *system configuration and timing information*** for the CDMA system, and begins monitoring the CDMA paging channels. In particular, the mobile station may perform paging channel monitoring procedures while in an idle state. The mobile station 122 may operate in a slotted mode, where only selected slots (e.g., one or two slots per slot cycle) are monitored on the paging channel. Alternatively, the mobile station 122 may monitor all paging and control channels if operating in a non-slotted mode. In either case, the mobile station 122 monitors the paging and control channels for a command, and transmits an acknowledgement upon receiving any message that is addressed to the mobile station 122". C12, L44-58

Hopkinson teaches improved access/flow of traffic in a cell site based on monitoring the traffic (eg. via a traffic monitor) and adapting a parameter which controls access to a BTS (eg. said "parameter" can be broadly interpreted as being changing between slotted and non-slotted modes). See Abstract, figure 2, page 2, L25-33.

~~Furthermore, Chuah teaches a means for a BTS, which is experiencing congestion to reduce data rates of the mobiles it is supporting (Abstract). Hence, one skilled understands that a BTS has a finite amount of processing power and can be overwhelmed by many mobiles requesting "extensive" support (eg. high data rates, non-slotted mode, etc.). Therefore, Chuah provides motivation to have the BTS determine that it must throttle back the "services" which are being requested by the mobiles (eg. lower data rates, change them to slotted mode or inform them that non-slotted mode is unavailable, etc.).~~

It would have been obvious to one skilled in the art at the time of the invention to modify Kinnavy, such that wherein said mobile station in response to a determination that said use of said reduced slot cycle mode by said mobile station interferes with scheduling of paging message transmissions by said mobile station, the mobile station is capable of receiving from said base station a first control message indicating that said reduced slot cycle mode is disabled in said base station, to provide means for the BTS to deny various "support" to mobile stations if/when it is highly congested/busy.

Allowable Subject Matter

Claims 1-22 are allowed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen M. D'Agosta whose telephone number is 571-272-7862. The examiner can normally be reached on M-F, 8am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bill Trost can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

STEVE M. D'AGOSTA
PRIMARY EXAMINER

9-26-07